

REMARKS

In the final Office Action, dated February 21, 2007, the Examiner rejected claims 23-39 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0059705 (hereinafter "WITTKE"), and rejected claims 1-3, 5-22 and 40-53 under 35 U.S.C. § 103(a) as allegedly being unpatentable over WITTKE in view of U.S. Patent No. 6,990,633 (hereinafter "MIYASAKA"). Claims 1-3, 5-31 and 39-53 remain pending. Applicants respectfully traverse the rejection of the claims under 35 U.S.C. § 102 and 35 U.S.C. § 103.¹

REJECTIONS UNDER 35 U.S.C. §102

In paragraph 5, the final Office Action rejects claims 23-39 under 35 U.S.C. § 102(e) as allegedly being anticipated by WITTKE. Applicants respectfully traverse.

At the outset, Applicants note that claims 32-38, which the final Office Action has rejected, were previously canceled and are no longer pending.

Independent claim 23, for example, recites a method that includes receiving a plurality of search queries from a user; creating a customized news document including a plurality of personalized news sections, with each news section being defined by a different one of the plurality of search queries; retrieving news content from memory using the plurality of search

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

queries and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document.

A proper rejection under 35 U.S.C. §102 requires that a reference teach every aspect of the claimed invention. See M.P.E.P. §2131. WITTKE does not disclose or suggest the combination of features recited in Applicants' claim 23. For example, WITTKE does not disclose or suggest, among other features, creating a customized news document including a plurality of personalized news sections, with each news section being defined by a different one of the plurality of search queries, and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document, as recited in claim 23.

The final Office Action (pg. 3) relies on paragraphs 260, 281 and 325 and FIG. 19 of WITTKE for allegedly disclosing the features of claim 23. Applicants respectfully traverse and submit that these sections of WITTKE, or any other section of WITTKE for that matter, do not disclose or suggest the combination of features recited in claim 23.

At paragraph 260, WITTKE discloses:

The knowledge system of this invention A) effectively integrates information from diverse sources, B) verifies, adds to or enhances source metadata (product data sheet; article title), and C) searches, queries, retrieves, and aggregates information. It identifies "things" people want, need and/or desire, given all the information and misinformation that's abundant in the world. It not only locates "things" for people, but also enriches their lives. It gives them more life. It "touches" people beyond helping them find that book they're looking for. It helps people live more and grow as people. It helps the person who from when they were a child wanted to become an actress but due to life's circumstances was never able to pursue their passion: there are countless people in the world with untapped passions and interests waiting to be unleashed with proper nurturing and guidance. The new knowledge system teaches people. It knows who someone is

as a person--their personality, background, interests, etc.--to more effectively and efficiently teach them.

This section of WITTKE discloses a knowledge system that searches and aggregates information and provides information to users based on knowledge of their personality, background or interests. This section of WITTKE does not disclose, suggest, or have anything to with, creating a customized news document including a plurality of personalized news sections, with each news section being defined by a different one of the plurality of search queries, and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document, as recited in claim 23.

At paragraph 281, WITTKE discloses:

FIG. 14B describes the sequence of events. After the mentor suggests a change to the database, an administrator is notified (email or instant alert) of the request for an addition. Upon approval via another set of user screens, the administrator approves (could also deny) of the change and sets flags for the back-end software to automatically adjust the database. For those people whom are currently connected as in web/internet--the next time their browser updates they will have new database structure information. All automatic. It's similar to adding a new directory on your computer to store stuff (Word docs--pictures, etc.) but being able to search, query, aggregate, etc. The stuff is stored in there automatically. (Attachment A sets forth the XML source code for performing the Add/Drop of Database Nodes function. The source code could be in other software languages.)

This section of WITTKE discloses a process by which a mentor suggests a change to a database and an administrator approves the change and sets flags for the back-end software to automatically adjust the database. This section of WITTKE does not disclose, suggest, or have anything to do with, creating a customized news document including a plurality of personalized news sections, with each news section being defined by a different one of the plurality of search

queries, and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document, as recited in claim 23.

At paragraph 325, WITTKE discloses:

As previously mentioned and observable in FIG. 8, the PPE generates a Personality/Preference Token 22 per each client of the system. The token--as the title implies--stores a client selectable subset of information particular to them. In other words depending on their personal desires, they can increase and decrease the set of information stored per their token. This token or electronic collection of personal information has a number of uses, one of which is shown in FIG. 36 where a user may make the token available to third-party web sites which upon reading the token can customize the web-site offering to that client. The ACAS system enables users to customize their collection of information.

This section of WITTKE discloses the generation of a preference token 22 for each system client that stores a subset of information particular to the client. The token may, for example, be used by third-party websites to customize the web-site offering to that client. This section of WITTKE does not disclose, suggest, or have anything to do with, creating a customized news document including a plurality of personalized news sections, with each news section being defined by a different one of the plurality of search queries, and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document, as recited in claim 23.

Paragraph 291 of WITTKE describes FIG. 19. At paragraph 291, WITTKE discloses:

FIG. 19 describes further how information from diverse sources in different formats with varying metadata is translated, classified, and stored in databases 27. Once again we see the information received is enhanced with additional metadata and recast into other forms and formats 40, all of which are also entered into the databases 27. The data received from one publisher has a high probability of being different from that of another. The information received from a single source must be translated 39 into formats and equivalents to that dictated by the CML 12. If in fact all sources adhered to a common descriptive standard, such

translation would be minimized if not eliminated. But the nature of a free marketplace and a free world makes universal compliance to a single common standard highly unrealistic. Therefore such translation is required for the foreseeable future.

This section of WITTKE discloses the translation, classification and storage of information from diverse sources having different data formats. In this section, WITTKE discloses that information, such as, for example, data received from different publishers, is enhanced with metadata and then recast into a data format, that consists of a common descriptive standard, which then may be stored in a database. This section of WITTKE does not disclose, suggest, or have anything to do with, creating a customized news document including a plurality of personalized news sections, with each news section being defined by a different one of the plurality of search queries, and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document, as recited in claim 23.

Since, as discussed above, WITTKE does not disclose or suggest each and every feature of claim 23, WITTKE cannot anticipate claim 23. Withdrawal of the rejection of claim 23 under 35 U.S.C. §102 is, therefore, respectfully requested.

Claims 24-30 depend from claim 23 and, therefore, are not anticipated by WITTKE for at least the reasons set forth above with respect to claim 23.

Independent claims 31 and 39 recite similar features to (though possibly of different scope than) claim 23. Claims 31 and 39, therefore, are not anticipated by WITTKE for at least the reasons set forth above with respect to claim 23.

REJECTIONS UNDER 35 U.S.C. §103

In paragraph 7, the final Office Action rejects claims 1-3, 5-22 and 40-53 under 35 U.S.C. §103(a) as allegedly being unpatentable over WITTKE in view of MIYASAKA. Applicants respectfully traverse and submit that the final Office Action has failed to establish a *prima facie* case of obviousness.

As one requirement for establishing a *prima facie* case of obviousness, the reference (or references when combined) cited by the Office Action must disclose or suggest all of the claim features. In re Vaeck, 947 F.2d 488, U.S.P.Q.2d 1438 (Fed. Cir. 1991). See M.P.E.P. § 2143. Applicants respectfully submit that the references cited by the final Office Action, either singly or in combination, do not disclose or suggest each and every feature of claim 1.

For example, independent claim 1 recites a method of customizing a news document associated with a user of a news aggregation service that includes creating the customized news document with a personalized search query received from the user, wherein creating the customized news document further comprises: dividing the news document into a plurality of news sections, with each of the news sections including one or more items of related news content, the search query being associated with only one of the plurality of news sections; fetching news content from a plurality of news source servers; aggregating the news content; searching the aggregated news content based, at least in part, on the personalized search query; and providing selected news content to the one of the plurality of news sections based, at least in part, on results of the search.

WITTKE and MIYASAKA, either singly, or in any reasonable combination, do not disclose or suggest the combination of features recited in claim 1. For example, WITTKE and

MIYASKA do not disclose or suggest, among other features, dividing a news document into a plurality of news sections, with each of the news sections including one or more items of related news content, a received search query being associated with only one of the plurality of news sections and providing selected news content to the one of the plurality of news sections based, at least in part, on results of the search, as recited in claim 1. The final Office Action (pg. 7) relies on column 13, lines 26-40 of MIYASAKA for allegedly disclosing dividing the news document into a plurality of news sections. The final Office Action (pgs. 6-7) further relies on paragraph 325 of WITTKE for allegedly disclosing providing selected news content to the one of the plurality of news sections based, at least in part, on results of the search. Applicants respectfully traverse and submit that WITTKE and MIYASAKA do not disclose or suggest the above-noted features of claim 1, contrary to the allegations of the final Office Action.

At column 13, lines 16-40, MIYASAKA discloses:

In preferred implementations, documents that have more content than can be presented in a designated area of a page may be processed in either of two basic ways. One way divides the document content into first and second parts such that a presentation of the first part fits in the designated area and all or a portion of the second part is presented on a subsequent page. Preferably, some indication such as "Go to page XX" is included with the presentation of the first part to refer to the page on which the second part is presented.

A second way divides the document content such that a presentation of a first part of the content fits in the designated area and the remaining content is omitted. Preferably, some indication of the omission such as "More" or "Remainder omitted" is included in the article presentation. A document name or some document-access information such as a URL link for the full content of the document may be provided.

Optionally, the recipient may be allowed to specify a maximum or preferred length of an article presentation, which could cause part of the second part to be omitted. If part is omitted, the presentation could include some indication of

omission as described above. The length may be specified in essentially any manner such as the number of characters, number of lines, number of paragraphs, number of columns or column-inches, or number of pages.

This section of MIYASAKA merely discloses the division of document content into two parts such that the first part is presented on a first page and a second part is presented on a second page. This section of MIYASAKA further discloses that the first part may be presented on the first page, and the second part may be omitted, with a link to the second part being provided instead. This section of MIYASAKA also discloses that a maximum or preferred length of the presentation may be specified such that any portion longer than the specified length may be omitted. Contrary to the allegations of the final Office Action, however, this section of MIYASAKA does not disclose or suggest the division of a news document into a plurality of news sections, with each of the news sections including one or more items of related news content, the search query being associated with only one of the plurality of news sections, as recited in claim 1. In fact, this section of MIYASAKA, for example, does not include any disclosure related to a search query being associated with only one of the first or second parts of divided document content disclosed in MIYASAKA.

At paragraph 325, WITTKE discloses

As previously mentioned and observable in FIG. 8, the PPE generates a Personality/Preference Token 22 per each client of the system. The token--as the title implies--stores a client selectable subset of information particular to them. In other words depending on their personal desires, they can increase and decrease the set of information stored per their token. This token or electronic collection of personal information has a number of uses, one of which is shown in FIG. 36 where a user may make the token available to third-party web sites which upon reading the token can customize the web-site offering to that client. The ACAS system enables users to customize their collection of information.

This section of WITTKE discloses the use of a token for storing user preferences such that web sites may customize the web site content offered to that user based on the token. This section of WITTKE, however, does not have anything to do with the provision of selected news content to one of a plurality of news sections, as recited in claim 1.

Since MIYASAKA and WITTKE do not disclose or suggest the above-noted features of claim 1, the cited references do not disclose or suggest each and every feature of claim 1. The final Office Action has, therefore, failed to establish a *prima facie* case of obviousness for at least this reason. Withdrawal of the rejection of claim 1 is, therefore, respectfully requested.

Claims 2, 3 and 5-20 depend from claim 1. These claims, therefore, patentably distinguish over WITTKE and MIYASAKA for at least the reasons set forth above with respect to claim 1.² Furthermore, these claims include additional features not disclosed or suggested by WITTKE or MIYASAKA. For example, claim 5 recites “receiving user input specifying a number of stories that a selected news section of the plurality of news sections should have.” In rejecting claim 5, the final Office Action (pg. 8) relies on paragraphs 369 and 370 of WITTKE for allegedly disclosing the features of claim 5.

At paragraphs 369 and 370, WITTKE discloses:

² As Applicants' remarks with respect to the base independent claims are sufficient to overcome the Examiner's rejections of all claims dependent therefrom, Applicants' silence as to the Examiner's assertions with respect to dependent claims is not a concession by Applicants to the Examiner's assertions as to these claims, and Applicants reserve the right to analyze and dispute such assertions in the future.

Content indication is an important feature to this invention. Content factor is a relative measure of how much a piece of data (ex. article) is about a particular topic (i.e. node). Users are able to specify the level to which they would want items to enter the aggregation pool based on this factor. In other words if Sue says "I'm interested in this topic", she might also specify through the content parameter that she only wants to see articles which are at least 50% about this subject.

Users also control the Level of Suggestion and topics associated with that suggestion. If Ed has selected fishing as a topic of interest, he might also specify through the tree that he'll allow the system a certain level of range about his chosen node of interest from which the system might automatically offer items not specifically requested but of close relationship.

These paragraphs of WITTKE disclose the use of a "content factor," specified by the user, which indicates how much information an article contains about a particular topic. Therefore, as disclosed in WITTKE, the user may specify a desire to only view articles that are at least a specified percentage (e.g., 50%) about a given topic. These paragraphs of WITTKE, however, have nothing to do with user input that specifies *a number of stories that a selected news section should have*. WITTKE, thus, does not disclose, or even suggest, "receiving user input specifying a number of stores that a selected news section of the plurality of news sections should have," as recited in claim 5.

Claim 14 further recites "receiving user input related to how news content should be sorted for display in each of the plurality of news sections." The final Office Action (pg. 10) relies on paragraphs 347-350 for allegedly disclosing the features of this claim.

At paragraphs 347-350, WITTKE discloses:

User's specify:

What news/information they would like to receive

How they want it presented to them--ex. text, audio, combination, spheres of

interest

How they want the information changed, updated, deleted and/or stored

These paragraphs of WITTKE merely disclose that a user may specify what kind of news they would like to receive, how they want the news presented to them (e.g., as text, audio, spheres of interest, etc.) and how they want the information changed, updated, deleted or stored. These paragraphs of WITTKE, however, do not disclose, or even suggest, that the user may specify how the news content *should be sorted for display*. WITTKE, therefore, does not disclose or suggest “receiving user input related to how news content should be sorted for display in each of the plurality of news sections,” as recited in claim 14.

Applicants respectfully request that the rejection of claims 5 and 14 be withdrawn for at least the additional reasons set forth above.

Independent claim 21 recites similar features to (though possibly of different scope than) claim 1. Withdrawal of the rejection of claim 21 is, therefore, requested for similar reasons to those set forth above with respect to claim 1.

Claim 22 depends from claim 21. Withdrawal of the rejection of claim 21 is requested for at least the reasons set forth above with respect to claim 21.

Independent claim 40 recites a method that includes dividing a news document into a plurality of news sections; receiving a first search query and a second search query; searching news content based on the first search query to obtain a first set of related news items; searching the news content based on the second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news

items; and populating a second news section of the plurality of news sections with the second set of related news items.

WITTKE and MIYASAKA, either singly, or in any reasonable combination, do not disclose or suggest the combination of features recited in claim 40. For example, WITTKE and MIYASKA do not disclose or suggest, among other features, dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40. The final Office Action (pg. 14) relies on column 13, lines 26-40 of MIYASAKA for allegedly disclosing dividing a news document into a plurality of news sections. The final Office Action (pgs. 13-14) further relies on paragraphs 201, 202, 260, 281 and 325 and FIGS. 2, 5 and 19 of WITTKE for allegedly disclosing the remaining features of claim 40. Applicants respectfully traverse and submit that WITTKE and MIYASAKA do not disclose or suggest the above-noted features of claim 40, contrary to the allegations of the final Office Action.

As discussed above with respect to claim 1, column 13, lines 16-40 of MIYASAKA disclose the division of document content into two parts such that the first part is presented on a first page and a second part is presented on a second page, where the second part may sometimes be omitted, with a link to the second part being provided instead. MIYASAKA, however, does not disclose searching news content based on a first search query to obtain a first set of related

news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

At paragraphs 201 and 202, WITTKE discloses:

Thus we see simplified examples of how an individual has a multitude of spheres of interest, each of which may contain a number of topics as well as sub-spheres. Spheres are merely groupings or associations of topics into a broader classification.

Some spheres are larger than others, they vary in size and can be embedded with other spheres. The spheres of interest (the aggregate group) associated with every person will be not only unique, but multi-dimensional and vary over time. A twenty-year old interested in surfing may not be interested in surfing at age fifty. A sphere of interest related to a person's profession will obviously change as the person's career takes the inevitable shifts over time.

These paragraphs of WITTKE disclose that individuals have multiple spheres of interest, each sphere of interest containing a number of different topics. As further disclosed in paragraph 203, the knowledge system of WITTKE accounts for each individual's spheres of interest when providing "knowledge" to that individual. These paragraphs of WITTKE, however, do not disclose, or even suggest, dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

As discussed above with respect to claim 1, paragraph 260 of WITTKE discloses a knowledge system that searches and aggregates information and provides information to users based on knowledge of their personality, background or interests. Paragraph 260 of WITTKE does not disclose or suggest dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

As further discussed above with respect to claim 1, paragraph 281 of WITTKE discloses a process by which a mentor suggests a change to a database and an administrator approves the change and sets flags for the back-end software to automatically adjust the database. Paragraph 281 of WITTKE does not disclose or suggest dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

As also discussed above with respect to claim 1, paragraph 325 of WITTKE discloses the generation of a preference token 22 for each system client that stores a subset of information particular to the client. The token may, for example, be used by third-party websites to

customize the web-site offering to that client. Paragraph 325 of WITTKE does not disclose or suggest dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

Paragraph 197 describes FIG. 2 of WITTKE. At paragraph 197, WITTKE discloses:

As depicted in FIG. 2, there exist varying information needs and preferred methods of interaction. Joe's a big picture person, and as such prefers seeing more of a high-level view of a topic. Ken prefers narrative, whereas Mary loves to see things in bullet lists rather than wade through text--"give it to her in as short and to the point as possible"--she might say. FIG. 2 goes on to depict various scenarios in which not only is what-information needed or desired different, but the manner in which it is preferred to be delivered will vary from one person to another.

This section of WITTKE merely discloses specific examples of the varying information needs that exist among different people. This section of WITTKE, however, does not disclose, suggest, or have anything to do with dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

Paragraphs 240 and 241 describe FIG. 5 of WITTKE. At paragraphs 240 and 241,

WITTKE discloses:

Now referring to FIG. 5, observe some key concepts associated with news and information in general. A generic news article is a complex aggregation of material with distinct attributes. Readers commonly and at times mistakenly take an article for fact and at face value. To properly characterize a piece of news, many factors and issues need to be addressed. One is that the greater the degree to which one can characterize something, the greater the degree to which you can satisfy very precise information needs. If Joe stores all his tools in a huge bin called "Tools", it takes him longer to find (if at all--if the bin's large enough) the 3/4 inch socket for his wrench. If he has a large number of tools, he will also become rapidly frustrated--"Ah", similar to the current Internet search engines.

Returning to news and information, as observed in FIG. 5 there are many attributes associated with the source of a piece of news and information. An author always has certain biases, credibility, education and experience levels, as well as affiliations. Where, whom or what the data or information came from, is important in thoroughly classifying it. An article written by someone with a PhD, or with their own business in the same field, might produce a more valuable article than a journalist merely capturing a story in a new field for him.

This section of WITTKE discloses that a news article may be characterized by various attributes that may be useful in classifying the news article. Such attributes may include, for example, an identification of an author of the news article from which other attributes, such as biases, credibility, education, experience and affiliations, may be determined for use in classifying the news article. This section of WITTKE, however, does not disclose, suggest or have anything to do with dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and

populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

Paragraph 291 of WITTKE describes FIG. 19. As discussed above with respect to claim 1, paragraph 291 of WITTKE merely discloses the translation, classification and storage of information from diverse sources having different data formats. In this section, WITTKE discloses that information, such as, for example, data received from different publishers, is enhanced with metadata and then recast into a data format, that consists of a common descriptive standard, which then may be stored in a database. FIG. 19 of WITTKE, therefore, does not disclose or suggest dividing a news document into a plurality of news sections; searching news content based on a first search query to obtain a first set of related news items; searching the news content based on a second search query to obtain a second set of related news items; populating a first news section of the plurality of news sections with the first set of related news items; and populating a second news section of the plurality of news sections with the second set of related news items, as recited in claim 40.

Since MIYASAKA and WITTKE do not disclose or suggest the above-noted features of claim 40, the cited references do not disclose or suggest each and every feature of claim 40. The final Office Action has, therefore, failed to establish a *prima facie* case of obviousness for at least this reason. Withdrawal of the rejection of claim 40 is respectfully requested.

Claims 41-53 depend from claim 40. Withdrawal of the rejection of these claims is requested for at least the reasons set forth above with respect to claim 40. These claims also include additional features not disclosed or suggested by the cited references. For example,

claim 44 recites receiving an indication from a user specifying a number of news items the first news sections should contain, wherein populating the first news section comprises obtaining the number of news items from the first set of related news items. In rejecting claim 44, the final Office Action (pg. 15) relies on paragraph 342 of WITTKE for allegedly disclosing the features of claim 44. Applicants respectfully traverse.

At paragraph 342, WITTKE discloses:

As further shown in FIG. 46, the user does not go out onto the Internet on a regular basis. In fact if they leave their preferences alone, the user just receives the data and does not log onto the Internet. Each user receives the data via an email attachment or other similar delivery service. The client's software parses the data file and renders the information on the client's machine.

This section of WITTKE merely discloses the receipt of data by a user via an email attachment or similar delivery service. This section of WITTKE does not have anything to do with receiving an indication from a user specifying a number of news items the first news sections should contain, wherein populating the first news section comprises obtaining the number of news items from the first set of related news items, as recited in claim 44.

Dependent claim 45 further recites receiving an indication from a user specifying one or more preferences for certain kinds of news sources for the news content, wherein searching the news content based on the first search query is further based on the one or more preferences. The final Office Action (pg. 16) relies on FIG. 14A and paragraph 280 of WITTKE for allegedly disclosing the features of claim 45. At paragraph 280 (which describes FIG. 14A), WITTKE discloses:

The system offers the ability to on-the-fly add/drop tree nodes to the database and

have the change instantaneously reflected in all users screens on their computers. Now referring to FIG. 14A: A mentor decides to add a sub-node called "tennis" to the database under the general category "sports"--she uses the software graphical user interface to enter the required information for the addition. She is also able to delete the node called "Football", using the same software interface.

This section of WITTKE discloses the addition or removal of tree nodes from a database, such as, for example, adding a tree sub-node called "tennis" to the database under a node called "sports." This section of WITTKE, however, does not disclose, suggest, or have anything to do with user specification of preferences for certain kinds of news sources for the news content and searching news content based on a search query and the preferences, as recited in claim 45.

Dependent claim 46 also recites ranking news items of the first set of related news items in a rank order. The final Office Action (pg. 16) relies on paragraph 283 of WITTKE for allegedly disclosing this feature. At paragraph 283, WITTKE discloses:

In FIG. 16 is described the concept of a user being able to "prune" the version of the tree they see. Topics/categories of limited interest are removed from the view the user sees. Through the software, a user selects which portion(s) of the tree he or she would like removed. This reduction process in no way effects the underlying database--but it offers the user a more concise view of the information he or she is most interested in. In FIG. 16 we see the removal of the sports branch which is of limited interest to this particular user.

This section of WITTKE discloses the capability of a user to "prune" away portions of a database tree to remove data that is of limited interest to the user. This section of WITTKE, however, does not disclose, suggest or have anything to do with ranking news items of the first set of related news items in a rank order, as recited in claim 46.

Dependent claim 47 further recites receiving keywords from the user and boosting

selected news items of the first set of related news items higher in the rank order when the selected news items contain one or more of the keywords. The final Office Action relies on paragraphs 373-378 of WITTKE for allegedly disclosing these features. At paragraphs 373-378, WITTKE discloses:

Possible choices in handling information after it's delivered are:
Delete Everything--"give me totally new material every week"
Keep an article in current listing--"I want to read this latter."
Delete this particular article--"Done with it."
Mark this item for storage and forwarding--"Put this in my "Send-to-Joe" folder"
Marking means identifying an item for further processing. Users are able to select items for storage in previously setup folders--for example disk directories. The folders are also candidates for inclusion in aggregation listings. In other words on a particular day, a user might want to gather very specific information and also articles on the same topic gathered over the last couple of weeks. The articles would be evaluated for possibly inclusion, using the same logic applied to incoming news/data. FIG. 52 pictorially demonstrates two of these concepts. The two shown of potentially many updating scenarios are: 1) overwrite the old A with the new B or 2) Save a portion of A combined with the new B.

This section of WITTKE discloses various options a user may select to handle information, including deleting the information, keeping the information for later reading, marking the information for forward to other users, or marking the information for further processing. This section of WITTKE, however, does not disclose, suggest, or have anything to do with receiving keywords from the user and boosting selected news items of the first set of related news items higher in the rank order when the selected news items contain one or more of the keywords, as recited in claim 47.

Dependent claim 48 also recites receiving an indication from a user specifying preferences for journalists who author news items of the news content, wherein searching the

news content based on the first search query is further based on the user-specified preferences for journalists. The final Office Action (pg. 16) relies on paragraphs 347-350 of WITTKE for allegedly disclosing these features. As discussed above with respect to claim 14, paragraphs 347-350 of WITTKE merely disclose that a user can specify what news or information they desire to receive, how they want the news or information presented to them and how they want the information updated and stored. This section of WITTKE, however, does not disclose or suggest receiving an indication from a user specifying preferences for journalists who author news items of the news content, where searching the news content based on the first search query is further based on the user-specified preferences for journalists, as recited in claim 48.

Claim 49 additionally recites receiving an indication from a user specifying preferences for genres of news among the news content, wherein searching the news content based on the first search query is further based on the user specified preferences for genres of news. The final Office Action (pg. 17) relies on FIG. 14A and paragraph 280 of WITTKE for allegedly disclosing these features. As discussed above with respect to claim 45, FIG. 14A and paragraph 280 of WITTKE merely disclose the addition or removal of tree nodes from a database, such as, for example, adding a tree sub-node called "tennis" to the database under a node called "sports." This section of WITTKE does not disclose, suggest, or have anything to do with receiving an indication from a user specifying preferences for genres of news among the news content, wherein searching the news content based on the first search query is further based on the user specified preferences for genres of news, as recited in claim 49.

Dependent claim 51 further recites labeling, on the news document, the first news section

with a first label related to the first search query. The final Office Action (pg. 17) relies on FIG. 44 and paragraph 340 of WITTKE for allegedly disclosing the features of this claim. At paragraph 340 (which describes FIG. 44), WITTKE discloses:

FIG. 44 expands upon the concept of local-template information to describe a related design feature--namely the data/information sent to each user is equivalent to a personalized electronic newspaper. Not the whole set of data/information, just those bits and segments of interest. In addition the client software also allows each user to select and set parameters entirely local to their computer and to transmit updates to the remote server.

This section of WITTKE discloses that a personalized electronic newspaper may be sent to a user. This section of WITTKE does not disclose or suggest labeling, on the news document, the first news section with a first label related to the first search query, as recited in claim 51.

Dependent claim 52 also recites labeling, on the news document, the second news section with a second label related to the second search query. The final Office Action (pg. 17) relies on paragraph 339 of WITTKE for allegedly disclosing the features of this claim. At paragraph 339, WITTKE discloses:

As observed in FIG. 43, advertisements and other service related messages are displayed in the uppermost left portion of the example template. It is also significant to notice how this particular user has requested varying delivery formats and linked information--bullet lists linked to narratives for Computer Software News, whereas titles linked to abstracts for sports. The template information (screen rendering) information is stored local to the client.

This section of WITTKE merely discloses the display of advertisements and other service related messages to a user, along with news information. This section of WITTKE does not disclose or suggest recites labeling, on the news document, the second news section with a second label related to the second search query, as recited in claim 52.

Since, as discussed above, dependent claims 44-49, 51 and 52 include features not disclosed or suggested by the cited references, Applicants submit that the final Office Action has failed to establish a *prima facie* case of obviousness with respect to these claims. Withdrawal of the rejection of these claims is, therefore, requested for at least this additional reason.

In view of the foregoing remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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